

M'KANE STILL FREE

THE CASE TO BE PRESSED ON MONDAY

COPY OF THE COMMITMENT AGAINST THE
GRAVESEND SUPERVISOR-AGREEMENT
BETWEEN THE LAWYERS.
By an agreement between the lawyers the case
of John H. McNamee and his lieutenants was

not be presented until Monday. The final order in the McKane case was brought from Poughkeepsie yesterday by Jerry Wernberg, and at 1

The following is a copy of the commitment for John Y. McKane:

"At a Special Term of the Supreme Court, held at the Court House, in the city of Brooklyn, county of Kings, on the 15th day of December, 1892:

"The people of the State of New-York, on the relation of William J. Gaynor, vs. John Y. McKane, Nicholas J. Johnson, Harlan Crandall, James H. Cropsey, Richard V. B. Newton and others:

"Do hereby certify that the within and above named John Y. McKane and others, having heretofore issued out of this court against the above-named John Y. McKane and others, charging him and them each of them with criminal contempt

junction, in conformity with the said injunction, granted by the Hon. Joseph F. Barnard, Justice of the Supreme Court, on November 9, 1893, in certain action then pending in the Supreme Court of the State of New-York, wherein William J. Gaynor was plaintiff, and the said John V. McKane and others defendants, and in wilfully offering resistance to the said injunction order, which attachment was directed to the Sheriff of the county of Kings, and returned to the said Sheriff on the 12th day of the

tachment the body of the said John Y. McKane, and had taken bond for his due appearance according to the exigency of the said attachment; and the said John Y. McKane having appeared personally before said court.

"Now, on the affidavits and other papers upon which the order for the said attachment was made, to wit: the summons in the said action above referred to and the complaint therein and the affidavits therein which here follow. (At

names of the scores of persons who made affidavits in the case, both for the prosecution and defence, with the dates on which they were verified.) The commitment then continues:

"And after hearing Edward M. Shepard, Albert E. Lamb and Jerry A. Wernberg in support of said motion, and James Troy, Isaac S. Catlin, George W. Roderick, George C. Eldridge and James W. Glendenning in opposition thereto, and due deliberation having been had, it is, on

for the relator, now here ordered, considered and adjudged that the said John Y. McKane has been and is guilty of the misconduct and contempt alleged against him, and has been and is guilty of a wilful disobedience to a lawful man-

rejunction order granted by the Hon. Joseph P. McNamee, Justice of the Supreme Court, on November 6, 1894, for an aforesaid action, and has been and is guilty of resistance wilfully to the said lawful mandate of this court; and

"It is further ordered and adjudged, that said John Y. McKane be imprisoned in the common jail of the County of Kings for the period of thirty days; and

"It is further ordered and adjudged that a fine of \$250 be and the same hereby is imposed upon him for his said misconduct, and that he stand committed to the common jail of the said County of Kings, there to remain charged upon said contempt until his said fine imposed as aforesaid shall be fully paid, not exceeding

warrant issue to carry this order into effect, and that such fine be paid to the clerk of this court and be disposed of according to law.

"Entered in Kings County."
"J. F. BARNARD, Justice."

A TRAIN GOES THROUGH A TRESTLE.

THREE PERSONS KILLED AND THREE INJURED
ON THE WESTERN NEW-YORK AND
PENNSYLVANIA.

Buffalo, Dec. 15.—The Buffalo and Old City local, on the Western New-York and Pennsylvania Railroad, that left this city at 5:20 o'clock this afternoon, when near the Sheridan crossing,

restle which spans a small creek near the station. Three persons were killed outright and three slightly injured. The names of the injured cannot be learned to-night. Those of the killed are as follows:

Conductor Hodges, of Oil City; Baggage-master McKane, of Buffalo, and a passenger named Porter, living in Portland, Chautauque County.

The engineer and fireman are among the injured.

NO SUBMARINE TORPEDO BOAT.

SECRETARY HERBERT DECIDES NOT TO BUILD ONE—A TEST MADE AT NEWPORT.

Washington, Dec. 15.—Secretary Herbert to-day finally and formally decided not to build a submarine torpedo boat. This action was foreshadowed by the Secretary in his annual report. Mr. Herbert will endeavor to secure the consent of Congress to the use of the \$200,000 appropriated for the construction of a submarine boat, if he should deem it wise to do so, for the construction of small surface torpedo boats to be used in coast defence.

Newport, R. I., Dec. 15.—From the experiment at the Torpedo Station this afternoon it is doubtful

safely discharge under a ship 100 pounds of an explosive, the average charge of an automatic torpedo, and retreat to a distance of only 400 feet from the ship. One obsolete Lay torpedo shell was moored in fifty feet of water, three fathoms below

ions of the Secretary of the Navy, there was minimal life. Four hundred feet away, at a like depth, were moored 100 pounds of gun cotton, connected with the shore by wires. Upon sending an electric spark into the cotton there arose upon the

met in diameter, and from the center of the shell, after the water suddenly raised. In the boats used by the experimenting party, the water followed only a short distance from the bottom of the shell, and then followed only a short distance from the bottom of the shell, and then followed only a short distance from the bottom of the shell.

DRIFTED AROUND NEAR THE HOOK.
THE STEAMER GELLERT, AFTER BREAKING HER
SHAFT, IS TOWED IN BY TUGS.
The Hamburg-American steamer Gellert, from
Mediterranean ports, arrived within seven miles

and stopped to take a pilot on board. When the machinery was started a sudden jar was felt, and on examination it was found that the shaft was broken. The break was a square one in the pillar shaft, in the aft section of the vessel, where the men were unable to get at it. It was presumed that the break was a square one in the shaft at the base of the pillar.

The steamer drifted about helplessly during the night, and at daybreak yesterday, when within two miles of Sandy Hook lightship, was anchored to await assistance from the city. Last evening, when the Anchor line steamer Gellert, Mr. Schilling, was sent on board to render aid to the disabled vessel, and ask for tugs to assist the disabled vessel. On arrival at Quarantine the fourth officer, learning that the company was aware of the accident, decided to remain on board the Ethelra for the night. It was afterward learned that the Gellert passed Sandy Hook to under tow and anchored near Hook to await the lifting of the fog.